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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,910	03/01/2002	Akiyoshi Hashimoto	H-1039	7123

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EXAMINER

SHERKAT, AREZOO

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,910

Applicant(s)

HASHIMOTO ET AL.

Examiner

Arezoo Sherkat

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/1/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claims 1-17 are presented for examination.

Claim Objections

Claims 10-17 are objected to because of the following informalities: The numbering of the claims is wrong. Claims 10-17 should read 9-16. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kitamura et al., (U.S. Patent No. 6,907,496 and Kitamura hereinafter).

Regarding claims 1-3 and 8, Kitamura discloses an access controlling method a second storage, comprising:

a controller having a plurality of network ports connected to different networks, respectively, an access controller for processing I/O command requested for the network ports, and an access controlling table for storing access control setting information which defines the commands to be authorized between one of the plurality

of network ports and one of the plurality of nonvolatile data storing means (Col. 9, lines 23-67 and Col. 10, lines 1-55);

plurality of nonvolatile data storing means (Col. 8, lines 55-67 and Col. 9, lines 1-23); and

an internal network for interconnecting the nonvolatile data storing means with the controller, wherein the access controller extracts an identifier of a data targeted by the I/O command from the I/O command received at the network port, confirms a nonvolatile data storing means to which the network port that received I/O command, refers to the access controlling table, and judges whether or not the command is authorized between the network port and the nonvolatile data storing means (Col. 7, lines 26-67 and Col. 8, lines 1-55).

Regarding claim 4, Kitamura discloses comprising management console (i.e., control manager) for setting and changing the access control setting information (Col. 10, lines 39-54).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura et al., (U.S. Patent No. 6,907,496 and Kitamura hereinafter), in view of Li et al., (U.S. Publication No. 2003/0093509 and Li hereinafter).

Regarding claims 10, Kitamura does not expressly disclose when exceeding a predetermined threshold of unauthorized accesses, access from the plurality of transportation ports the data is not authorized.

However, Li discloses wherein when a judgment frequency of the access non-authorization to specific data stored the nonvolatile data storing means exceeds a predetermined threshold, access from the plurality of transportation ports the data is not authorized (Pages 2-3, Par. 0027-0030).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the storage assignment method of Kitamura by including wherein when a judgment frequency of the access non-authorization to specific data stored the nonvolatile data storing means exceeds a predetermined threshold, access from the plurality of transportation ports the data is not authorized as disclosed by Li. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Li to facilitate access by multiple hosts to multiple storage devices in a manner consistent with network administrators' wishes and without risk of unwanted access conflicts (Page 1, Par. 0009).

Regarding claim 11, Kitamura does not expressly disclose wherein an administrator of the second storage is notified.

However, Li discloses wherein when a judgment frequency of the access non-authorization to specific data stored in nonvolatile data storing means exceeds a predetermined threshold, an administrator of the second storage is notified that the judgment frequency of the access non-authorization exceeds a predetermined threshold (Pages 2-3, Par. 0027-0030).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the storage assignment method of Kitamura by including wherein an administrator of the second storage is notified that the judgment frequency of the access non-authorization exceeds a predetermined threshold as disclosed by Li. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Li to facilitate access by multiple hosts to multiple storage devices in a manner consistent with network administrators' wishes and without risk of unwanted access conflicts (Page 1, Par. 0009).

Claims 5-7 and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura et al., (U.S. Patent No. 6,907,496 and Kitamura hereinafter), in view of Sanada et al., (U.S. Publication No. 2001/0008010 and Sanada hereinafter).

Regarding claims 5-7, Kitamura does not expressly disclose wherein the access controller reports the I/O command judged as unauthorized to the management console.

However, Li discloses wherein the access controller reports the I/O command judged as unauthorized to the management console (Pages 6, Par. 0102-0114).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the storage assignment method of Kitamura by including returns to the host computer an LS_RJT frame which contains therein a reject parameter for rejection of its connection attempt as disclosed by Sanada. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Sanada to make it possible for the storage control device to inhibit or deter any unauthorized access from the host computer (Page 1, Par. 0013)

Regarding claims 12-17, Kitamura does not expressly disclose an access controlling method wherein when a system of the I/O commands is the SCSI (Small Computer system interface) standards, a "CHECK CONDITION" status is transmitted as a report of abnormalities.

Sanada discloses an access controlling method according to claim 8: wherein when a system of the I/O commands is the SCSI (Small Computer system interface) standards, a "CHECK CONDITION" status is transmitted as a report of abnormalities (Pages 4-6, Par. 0063-0098).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the storage assignment method of Kitamura by including returns to the host computer an LS_RJT frame which contains therein a reject parameter for rejection of its connection attempt as disclosed by Sanada. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Sanada to make it possible for the storage control device to inhibit or deter any unauthorized access from the host computer (Page 1, Par. 0013)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hubis et al., (U.S. Patent No. 6,343,324),

Eichstaedt et al., (U.S. Patent No. 6,662,230), and

Jantz, (U.S. Patent No. 5,867,736).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arezoo Sherkat
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Jul 1, 2005



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